

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

JAMES O. RAY AND M. LOUISE RAY

PLAINTIFFS

V.

CIVIL ACTION NO. 1:06cv516-LTS-RHW

RIMKUS CONSULTING GROUP, INC.,  
THOMAS E. HEIFNER, P.E., INDIVIDUALLY,  
PAUL D. COLEMAN, INDIVIDUALLY,  
GARY L. BELL, INDIVIDUALLY,  
CLARENDON NATIONAL INSURANCE COMPANY AND  
CGI GROUP, INC.

DEFENDANTS

**ORDER**

In accordance with a Memorandum Opinion filed contemporaneously herewith, **IT IS ORDERED:**

Defendant Gary L. Bell's [4] Motion to Dismiss for Lack of Jurisdiction under Fed. R. Civ. P. 12(b)(2) is **DENIED**;

Defendant Thomas E. Heifner's [24] Motion to Dismiss for Lack of Jurisdiction under Fed. R. Civ. P. 12(b)(2) is **DENIED**;

Defendant Rimkus Consulting Group, Inc.'s [5] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) is **DENIED**;

Defendant Gary L. Bell's [5] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) is **DENIED**;

Because Defendant Paul D. Colman (incorrectly identified in the pleadings as "Coleman") has been voluntarily dismissed ([12] and a Text Only Order entered June 23, 2006), his [5] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) is **DENIED AS MOOT**;

Defendant Thomas E. Heifner's [25] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) is **DENIED**.

**SO ORDERED** this the 11<sup>th</sup> day of September, 2006.

*s/ L. T. Senter, Jr.*  
L. T. Senter  
Senior Judge